

May 14, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

CHARLES JAY EGLET,

Defendant.

No. 2:19-CR-0086-WFN-1

PROTECTIVE ORDER PURSUANT
TO 18 U.S.C. § 3509

Pending before the Court is the Government's Motion for Protective Order Pursuant to 18 U.S.C. § 3509, Regarding Identification of Minor Victims. ECF No. 12. The Court has reviewed the file and Motions and is fully informed. The Court finds good cause has been shown for enacting privacy measures mandated by 18 U.S.C. § 3509(d). Accordingly,

IT IS ORDERED that:

1. The Government's Motion for Protective Order Pursuant to 18 U.S.C. § 3509, filed May 13, 2019, **ECF No. 12**, is **GRANTED**.

2. The Government's Motion to Expedite, filed May 13, 2019, **ECF No. 13**, is **GRANTED**. The underlying Motion was considered on an expedited basis.

3. The privacy protection measures mandated by 18 U.S.C. § 3509(d) that apply when a case involves a person under the age of eighteen years who is alleged to be a victim of a crime of sexual exploitation, or a witness to a crime committed against another person, apply to this case. The provisions of this Order apply to the identification of minor children and any adults who were minor children when they were alleged to have been victims of sexual abuse. For purposes of this order, the term "children" encompasses both of these categories.

1 4. All persons acting in this case in a capacity described in 18 U.S.C. §
2 3509(d)(1)(B), shall:

3 (a) Keep all documents that disclose the names, identities, or any other
4 information concerning children in a secure place to which no person who does not have
5 reason to know their contents has access; and

6 (b) Disclose such documents or the information in them that concerns children
7 only to persons who, by reason of their participation in the proceeding, have reason to know
8 such information.

9 (c) Not permit Defendant himself to review the unredacted discovery outside
10 the presence of defense counsel or a defense investigator;

11 (d) Not permit Defendant to keep any discovery in his own possession outside
12 the presence of defense counsel or a defense investigator;

13 (e) Not permit Defendant to keep, copy, or record the identities of any child or
14 victim identified in discovery in this case.

15 5. All papers to be filed in Court that disclose the names or any other information
16 identifying or concerning children shall be filed under seal without necessity of obtaining a
17 Court order, and that the person who makes the filing shall submit to the Clerk of the Court:

18 (a) the complete paper to be kept under seal; and

19 (b) the paper with the portions of it that disclose the names or other information
20 identifying or concerning children redacted, to be placed in the public record.

21 6. Counsel for the government and counsel for Defendant shall provide one another
22 with a copy of each unredacted pleading filed in this case, provided that such pleading is not
23 filed *in camera*.

24 7. The parties and the witnesses shall not disclose children's names at pre-trial
25 proceedings or at trial in this case. The parties shall prepare their witnesses and instruct them
26 to refer to the alleged minor victims only by using agreed-upon initials or pseudonyms (e.g.,
27 "Victim A," "Victim B"), rather than their names, in opening statements, during the
28 presentation of evidence, and in closing arguments.

1 The District Court Executive is directed to file this Order and provide copies to
2 counsel.

3 **DATED** this 14th day of May, 2019.

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6 WM. FREMMING NIELSEN
7 SENIOR UNITED STATES DISTRICT JUDGE

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